THE POST, Frederick, Md., Saturd

10/8/77

Judge Sirica will step down

WASHINGTON (AP) — Watergate Judge John J. Sirica, the man probably most responsible for forcing Richard Nixon's resignation, will step down from full time service Oct. 31 and become a senior judge.

With no more Watergate cases pending, the 73-year-old Sirica wrote President Carter he hoped "I have contributed to, and measured up in some degree, to the high responsibilities thus imposed."

Carter, in turn, told Sirica in a letter that he had displayed personal courage and wisdom at a time of "the greatest challenge to our system of government."

Sirica, who became the best known judge in America in his five-year association with Watergate cases, had delayed his retirement from active service until the last Watergate decision was out of the way.

That was on Tuesday when he reduced the sentences of the three men closest to Nixon, H.R. Haldeman, John D. Ehrlichman and John N. Mitchell. That day he confided to friends that he was about to step down.

In the course of his Watergate tenure, Sirica made the landmark decision that even a president had no right to withhold evidence from a criminal trial. The ruling was upheld by the Supreme Court and Nixon was forced to give up his tapes — one of which showed he had lied from early on about Watergate.

Three days after the "smoking gun" tape was made public, Nixon announced his resignation.

Pressure applied by Sirica — to the consternation of civil liberties groups — caused many of the principals in the scandal to testify before the grand jury.

When the White House reported that one of its tapes had an 18½ minute erasure in a key conversation, Sirica convened a panel of experts to determine whether it was done purposely. The panel concluded it was.

During the three-months long Watergate coverup trial, Nixon's lawyers said he was too ill to testify. Sirica sent three doctors to California to check and they reported the claim was true. Over objections of the defendants, Sirica went ahead with the trial.

As a senior judge, Sirica will be able to pick the cases he wants and work as much as he chooses. He'll still retain his office, a full staff and his full salary. He will most likely concentrate on civil cases.

Sirica suffered a massive heart attack in February last year while making a speech to a lawyer's organization. His recovery was slow and he didn't get back on the bench for six months.